

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE)	CASE NO.
SERVICE, RATES AND FACILITIES OF)	2021-00370
KENTUCKY POWER COMPANY)	

COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION
TO KENTUCKY POWER COMPANY

Kentucky Power Company (Kentucky Power), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due no later than December 14, 2021. The Commission directs Kentucky Power to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made, and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Kentucky Power shall make timely amendment to any prior response if Kentucky Power obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Kentucky Power fails or refuses to furnish all or part of the requested information, Kentucky Power shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Kentucky Power shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Provide a copy of the current Stock Purchase Agreement between Liberty Utilities Co. (Liberty), American Electric Power Company, Inc. (AEP), and AEP Transmission Company, LLC (AEP Transmission), including any exhibits, attachments or appendices. If the document has been amended since its announcement on October 26, 2021, provide all amendments.

2. Provide a copy of the Common Interest Agreement among any of the following: Liberty, AEP, AEP Transmission, and Kentucky Power.

3. Refer to the November 30, 2021 Hearing Video Transcript (HVT) at 9:39:19–9:42:05. Confirm that if the Federal Energy Regulatory Commission (FERC) rules on the Mitchell Operating and Ownership Agreements (Mitchell Agreements) in FERC Dockets ER22-453-000 and ER22-452-000 before this Commission rules on the Mitchell Agreements, Kentucky Power will agree to amend the Mitchell Agreements consistent with all Orders of the Commission notwithstanding any type of federal preemption that may preclude the Commission from modifying or denying the Mitchell Agreements.

4. Refer to the November 30, 2021 Hearing Testimony of D. Brett Mattison regarding Liberty's involvement in the negotiation or development of Mitchell Agreements. Describe in detail Liberty's involvement in negotiating or developing the Mitchell Agreements, including who at Liberty was involved, and for each person specify their degree of involvement and the dates of their involvement.

5. Identify who at Kentucky Power or AEP directed counsel to file the amended Mitchell Agreements at FERC and the reason for doing so prior to approval of the Mitchell Agreements by this Commission.

6. Identify who at Kentucky Power or AEP directed counsel to omit the impending filing of the Mitchell Agreements with FERC from the November 15, 2021 ten-day status update filed in Case Nos. 2021-00004 and 2021-00370.

7. Identify who at Kentucky Power or AEP directed counsel to file with this Commission the request for approval of changes in the Mitchell Agreements in a different docket than this proceeding and the reason for doing so.



Linda C. Bridwell, PE
Executive Director
Public Service Commission
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DATED DEC 03 2021

cc: Parties of Record

Case No. 2021-00370

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